

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

FRED ADAMI and JACK F.  
VARNER,

Plaintiffs,

vs.

CARDO WINDOWS, INC., et al.,

Defendants

CIVIL NO. 1:12-02804 (JBS) (JS)

**DEFENDANTS' MOTION FOR LEAVE TO FILE SUR-REPLY**

Defendants Cardo Windows, Inc., et al. request authorization to file the Sur-reply Brief attached hereto as Exhibit A because Plaintiffs have misstated the law and the facts in their Reply Brief in Support of Motion for Sanctions. Applying the proper limitations period establishes that Plaintiffs are simply wrong in demanding addresses for 198 customers whose windows were installed more than three years before plaintiffs filed their written consents with this Court. As to the other 16 jobs at issue, the attached Sur-Reply sets forth why those were not produced, eliminating all bases for Plaintiffs' motion for sanctions. In support hereof, Defendants rely on the accompanying Brief and Declaration of Christopher Cardillo, Sr.

A proposed form of Order is attached.

Respectfully submitted,

**FLASTER GREENBERG, P.C.**

Dated: September 15, 2014

By: */s/ Michael Homans*

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